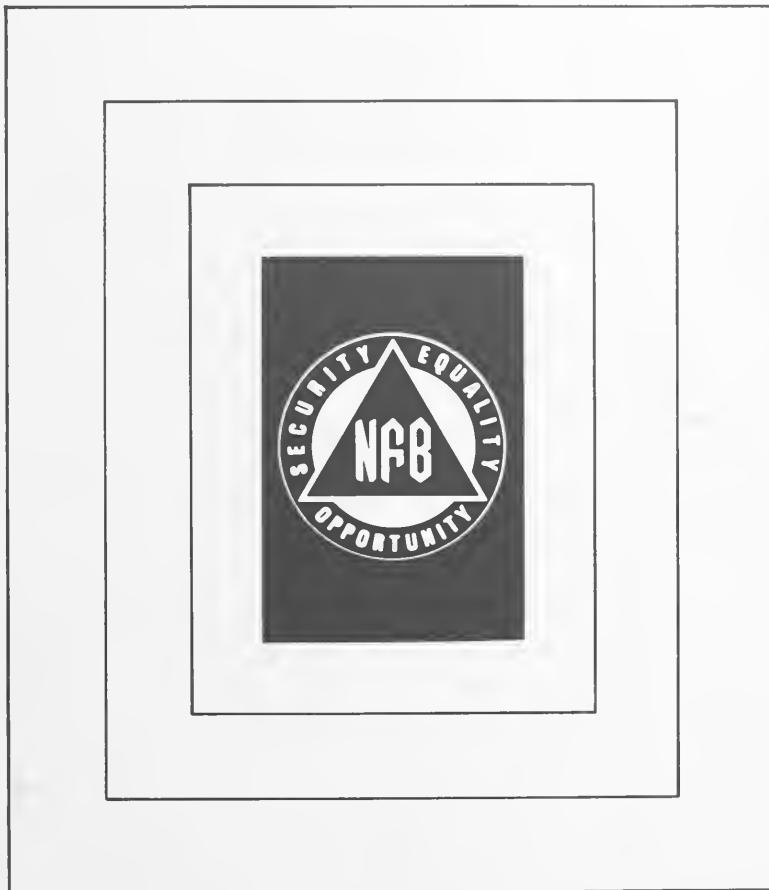


Braille Monitor



FEBRUARY, 1983

VOICE OF THE NATIONAL FEDERATION OF THE BLIND

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THE BRAILLE MONITOR

PUBLICATION OF THE
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FEBRUARY 1983

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THE BRAILLE MONITOR

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* * *

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THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION
SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES

ISSN 0006-8829

BLIND PRE-SCHOOLERS . . . SOME PERSONAL EXPERIENCES

by Susan Ford

(Note: Susan Ford is the Chairperson of the Committee on Parental Concerns of the National Federation of the Blind. She is also a mother. Moreover, she is a mother with perception and good sense. The following article appeared in the October/November, 1982, issue of Future Reflections, the publication of the Committee on Parental Concerns.)

I want to begin today to tell you about myself so you know, I guess, why I'm sitting here instead of someone else talking to you about pre-school blind children. I have a master's degree in the education of blind children. More to the point though, I have a blind seven-year-old. He's a boy, and his name is Brent. Brent is a foster child. We got him when he was 26 months old, which introduced us to a number of problems perhaps we may not otherwise have had. At any rate, that is what qualifies me to talk about blind children and preschoolers.

The first thing that I want to say is that blind children develop as other children develop. They learn to sit up, they learn to roll over, they learn to do the things that other children do. Perhaps at a different rate, but if you were to compare any two sighted children, you would discover that one, for instance, rolls over at four months and another one perhaps not until five, and maybe there's a precocious child who will roll over at two and a half months. Blind children do all of these things in more or less the same manner as sighted children do.

One of the tendencies of parents of a blind child is to leave the child in his crib. After all, he's safe there. It's frightening to think of a blind child out in the middle of

the floor where he might bump his head on the coffee table, and so the tendency is to leave him in his crib or his playpen where he's safe. And, of course, this is just the thing that shouldn't happen. A child should still be allowed to investigate the floor when he's very small. He can be put on a blanket on the floor and toys, interesting toys, can be put close at hand where he's inevitably going to encounter them, and feel them, and learn about them. One of the first things I say to a parent of a blind child is: let your child learn and discover and get down on the floor with him and show him. Let him explore. The kid can't see what's going on, so you have to put toys in his hand. You have to let him experience with his other senses.

We ran into a number of problems with our child. He tested and he tested us: "I'll let you do anything for me as long as you will." We found that we soon came to the point where we had to determine for ourselves the things that he could actually do. We went through this before our child ever walked. When he came to us at 26 months, he was really socially deprived. He could have walked alone, but he would not walk alone. He had at least to be holding onto your hand, or have a hand along the wall, or the furniture, or something like that. He was not brave enough to walk alone. The

time came for me, as mom in the house, to say, "Now, Brent, I *know* you know where the table in the kitchen is. This morning is the morning when you are going to get to that table all by yourself without walking all the way around three sides of the kitchen to get there." I was writing an article about this earlier this year and one of the things I said was that morning he cried, and I cried, and everybody cried. But ultimately at 11 o'clock, three hours after he got up, he finally took those two steps across the open floor and did it himself. And you know, that was the beginning of his proof positive that he really could do that. And it has just been things like that over and over again.

It was the same thing with coming down the stairs by himself. He'd go up and down the stairs all the rest of the day but not first thing in the morning. Mom was supposed to go upstairs and carry him down, right? Well, the time came when I said: "Now that's enough of that. You come down here and get your breakfast, or you'll just have to go hungry." He learned to come downstairs by himself and to get there by himself. Much later we did the same thing with putting on a shirt. He absolutely wouldn't do it. I said, "You can go up to your room and stay there until you put on your shirt." Two hours later he came downstairs with his shirt on.

Anyway, I guess the point is that blind children, like other children, will test you. And even though it sounds mean, even though it sounds tough, you've just got to insist that they do things for themselves. Because all his life he is going to have to do it, and he needs to prove it to himself and to all the other people he deals with. We, for instance, discovered that when Brent was four, people would still pick [him] up and carry him to the car. I found myself having to say to people who did that kind of thing, "Look, if Brent were sighted and

four years old, would you carry him to the car?" Well, the answer of course was, "No." So I said, "Then please do not carry Brent to the car; he can walk by himself." And then I found myself privately talking to Brent and telling him, "Look, you are old enough to say to these people, I can walk by myself; please let me walk myself." And he's getting better. At seven he's able to say it. Unfortunately, people still don't listen all the time, but I hear him saying, even to me ever so often, "Mom, I can do it myself." You know how parents are with our sighted kids. You tie the kid's shoes for a hundred years, right? When he finally learns how to tie his own shoes, you still tend to say, "Come here, Brent, and I'll tie your shoe" right? That's a part of parenting. It's particularly true of blind children that we have to back off and insist that they do it themselves and teach them to do it.

I want to mention some other things that I found were troublesome. One of them was the business of getting the child from the point of letting you feed him to feeding himself. When Brent came to us (our experience was, again, a little different, but I think it demonstrates to you where blind children can get to) at 26 months he was still basically on a bottle and eating infant food, nothing more than liquid. He choked on virtually everything he ate. Well, the first thing I did was to take him to the doctor. I said, "Now, what's the matter with this kid?" He said, "Nothing," and I said, "Thank you, he'll be on solid foods before long." But then he didn't know how to chew them, that's why he was choking. We found we had to teach him how to manipulate his jaws. At 26 months he had already decided the only good things were things you could swallow whole. So we really had to show him how to chew. He felt our jaws. We manipulated his jaws. We gave him things like vanilla

wafers or soda crackers and let him explore them and break them up all over the floor and chew them. Sooner or later they get into the mouth, and "gee, it tasted good!" So he'll try it again. We started with those kind of things and when we got to the table we started with things like sliced apple that can be gummed; you don't really have to chew it all you have to do is kind of mush it up. We finally got to the point where he knew how to manipulate his jaws, how to chew. Then we just had to continually remind him, "Don't swallow it whole, Brent, chew!" Now at seven, he eats virtually anything and is probably a better eater than our daughter.

The harder thing was to get to the point of manipulating a spoon and a fork. At this stage, at seven, Brent uses a spoon and a fork fine. He is only beginning to use a knife and to cut things, and I think that's probably fairly typical of a seven-year-old. He had a problem in learning to use his hands properly. We really did a lot of work on that when he first came to it. He did not know what the pinch or grasp motion was, so before he could, for instance, learn to pick up a spoon, he had to learn how to manipulate his fingers properly in order to do that.

Another thing that I want to point out with pre-schoolers is sometimes it is easy to forget to show a child what things are. He may have a certain concept about something, but it may not be a completed

concept. The best example that I can tell you of this kind of thing occurred when Brent was, I don't know, he must have been five. Too old, far too old, to have done this, but it taught us that we are not perfect ourselves. He knew what a bank that you put coins in was. He had a bank, of course, and he used the bank to put money in. But then we mentioned going to the bank downtown. And he finally came to us one day and he said, "What's the bank downtown look like, Mom? Is it a great big building with a slot on top?" You can see where Mom and Dad had made a mistake. So we had to go back and talk about, yes, the word is the same, but it's a little different. And then we had to take him to the bank and talk to him about what you did at the bank, and that there were people there and that, yes, it was a building but, no, you didn't just drop your money in by climbing up on top of the roof. I guess that example demonstrates the kind of hands-on approach that is really important with blind children.

As the child gets older, he is better able to broaden his concepts and you no longer have to show him everything. Brent really wants to know what a lion looks like. I have not found a lion that I really wanted him to pet, so the time has come for him to be able to broaden his understanding and to understand that the lion is a great big cat.

CONCERNING VENDING FACILITIES,
FREE READING MATTER FOR THE BLIND,
AND VIOLATIONS OF THE LAW

Not long ago an organization calling itself the Minnesota Association of Vending Facilities Operators was established. It proceeded to publish a newsletter. As might have been expected, it asked blind persons to join up. It also asked that they send in an extra \$5.00 so that they might have membership in the Randolph-Sheppard Vendors of America. No mention was made of the fact that RSVA is an affiliate of the American Council of the Blind.

This is understandable. It is particularly understandable when one considers the fact that the President of the Minnesota Association of Vending Facilities Operators is Milo Gilliland, who is a member of the board of directors of the Minneapolis Society for the Blind. Mr. Gilliland's newsletter was mailed as Free Reading Matter for the Blind. The following letter from the U.S. Post Office is self-explanatory.

Minneapolis, Minnesota
July 16, 1982

Dear Mr. (Milo) Gilliland:

It has come to our attention that you have deposited in the mails, without payment of postage, copies of a newsletter, "The Minnesota Vendorscope," published by the Minnesota Association of Vending Facilities Operators.

In lieu of postage, the endorsement

"Free Matter for the Blind" was printed in the upper right corner of the address area on these pieces.

This type of material is not among the specific types of materials that may be mailed without postage under the provisions of Section 135, Domestic Mail Manual (copy attached). There is no provision in those regulations for letters prepared in any form by sighted individuals to be mailed to the blind or physically handicapped without proper payment of postage at the applicable rate. Letters may be mailed without payment of postage under Section 135 only when they are unsealed letters sent by a blind person or a person having a physical impairment as described in Section 135.1a in raised characters or in 14 point or larger sight-saving type or in the form of sound recordings.

Accordingly, the Postal Service is entitled to payment of postage for all copies of the newsletter you placed in the mail without postage affixed. The appropriate first-class or single-piece third class postage rate for these pieces is 20 cents per piece.

Within 15 days of receipt of this letter, provide the Manager, Mail Classification Center, Main Post Office, Minneapolis, MN 55401, with evidence to substantiate the number of these pieces you mailed without postage paid, such as a copy of the printing order or invoice, or a copy of the mailing list.

Any questions you may have concerning

the applicability of Section 135, Domestic Mail Manual, should be directed to the Minneapolis Mail Classification Center, phone 349-5685.

Sincerely,
Gene W. Graham
Manager, U.S. Post Office
Minneapolis

There has been much talk about Free Matter for the Blind mailing privileges. We were recently threatened with the loss of those privileges. One sure way to guarantee the revocation of those privileges is for people to abuse them. So that there is no misunderstanding as to what the regulations say, we herewith print them:

135 For the Blind and Other Handicapped Persons

135.1 Conditions. The following conditions are applicable to articles mailable free of postage under this section:

a. Except as provided in 135.21 the matter is for the use of the blind or other persons who cannot use or read conventionally printed material because of a physical impairment who are certified by competent authority as unable to read normal reading material.

b. No charge or rental subscription or other fee is required for such matter or a charge, or rental, subscription, or other fee is required for such matter not in excess of

the cost thereof.

c. The matter may be opened for postal inspection.

d. The matter contains no advertising.

135.2 Items Mailable Free

.21 Unsealed letters sent by a blind person or a person having a physical impairment as described in section 135.1a in raised characters or in 14 point or larger sight-saving type or in the form of sound recordings.

.22 Reading matter and musical scores.

.23 Sound reproductions.

.24 Paper, records, tapes, and other material for the production of reading matter, musical scores, or sound reproductions.

.25 Reproducers or parts thereof for sound reproductions.

.26 Braille writers or typewriters, or parts thereof, used for writing by or specifically designed or adapted for use of a blind person or a person having a physical impairment as described in 135.1a.

.27 Educational or other materials or devices, or parts thereof, specifically designed or adapted for use of a blind person or a person having a physical impairment as described in 135.1a.

135.3 Markings. All matter mailed under the provisions of part 135 must show the words *Free Matter for the Blind or Handicapped* in the upper right corner of the address side.

135.4 Weight and Size Limits. The weight and size limitations in 751 are applicable to mailings made under this part.

BLIND TO RECEIVE DIRECTORY ASSISTANCE CREDIT

by Tom Scanlan

(Note: Not only is Tom Scanlan the Treasurer of the National Federation of the Blind of Minnesota. He is also a tireless fighter in the battle to secure equal treatment and first-class citizenship for the blind. The following article appeared in the September-October, 1982, Minnesota Bulletin, which is the official publication of the NFB of Minnesota.)

If there is anything everyone loves to hate, it is the "phone company." For most of Minnesota that means Northwestern Bell, and our feelings toward Bell were certainly not helped when they began charging for Directory Assistance in February, 1979. Under this system, telephones (note that charging is based on the telephone used, not the person using it) are charged 20 cents for each call to directory assistance after using up the allowance of 5 each month. However, if less than 5 calls are made in a month, a 53 cents credit is applied to the bill. In recognition of the fact that blind people cannot use the published directory, Bell provides an exemption from the charges. But there is a catch: exemption from the charge also means exemption from the credit.

At the time this charging was announced, the NFB of Minnesota raised several issues which we felt needed correction. Key among these were: (1) usage from a business phone by blind employees, (2) usage from a phone other than the customer's registered phone, and (3) loss of the credit granted to non-exempt phones. Bell agreed with us on the first two and included business-phone exemption and use of credit cards through the operator to obtain directory assistance. However, they held out on the loss of the credit on the

principle that "those who use the service should pay for it."

Since we do not give up easily, we continued to work on Bell so that blind people would not be penalized for using a service we were forced to use. As we saw it, there were two solutions: (1) publish the directory in Braille so blind people could read it, or (2) allow blind people to use directory assistance without charge. Since loss of the credit is an indirect charge, "without charge" also includes getting the credit.

The executives from Bell proved to be fine, reasonable people. They were never condescending or paternalistic. Although they believed firmly and honestly in the company position and we had some heated discussions, they always respected us, and we respected them. At no time did they attempt to simply cut us off, and we went back and forth in discussion many, many times. In fact, at one point one of them said of our position, "I've heard it so often that I'm starting to believe it."

In response to our efforts, on July 2, 1982, Northwestern Bell filed a request with the Minnesota Public Utilities Commission to change Section 47 of the General Exchange Tariff for Directory Assistance Charge and Credits Plan to grant the 53 cents credit. Bell's new position is

summed up in the following statement from a Northwestern Bell executive:

"Representatives of the National Federation of the Blind in Minnesota told Northwestern Bell that people who were physically unable to use telephone directories should not be denied the monthly credit. These customers, NFB pointed out, help pay for the cost of printed directories through their basic monthly service charge although they are unable to use their directories. NFB said they are entitled to use Directory Assistance, therefore, without sacrificing other customer entitlements including the monthly credit. Northwestern Bell gave NFB's position extensive consideration before filing the proposed tariff change."

Now that we have convinced Bell, the next step is to convince the Public Utilities Commission. Since Bell estimates that this change will mean annual customer savings

of about \$19,800, that should not be too difficult: after all, how often these days does a public utility request a rate decrease? But, at the same time, we must not be complacent and let this slide.

So there it is: Blind people will soon receive the same directory-assistance credit received by other customers, and this came about entirely through the efforts of the National Federation of the Blind.

While we were working on this, some people said, "Why don't you leave well enough alone? You should be grateful for what we already have. Why cause trouble?" In fact, there undoubtedly are those who would call us "militant." They can say what they like, but the fact remains that we have obtained one more degree of equality for blind people, and in the process built a good working relationship with Northwestern Bell.

JOB TRAINING ASSISTANCE:

A NEW LAW AND NEW POSSIBILITIES

On October 13, 1982, President Reagan signed the Job Training Partnership Act (Public Law 97-300). This replaces the Comprehensive Employment and Training Act (CETA) which expired on September 30, 1982.

In recent years, CETA became fairly controversial because of differences over job creation programs versus job training assistance. The prime target of this battle was the public service jobs authority under CETA, viewed by some as a disguised subsidy to local government. There were charges of "fraud," and "mismanagement,"

in the administration of CETA, as well. In the end, however, the issue was whether federal policy on employment and training should promote short-term jobs or long-term training for the unemployed.

The new bill emphasizes training for jobs rather than federally subsidized jobs as the end product. The transition from CETA to the Job Training Partnership Act will occur gradually throughout fiscal year 1983, as plans are made for job training services to begin next October.

Resolution 83-03, passed unanimously at our 1982 Convention in Minneapolis,

expressed specifically our concerns and objectives with respect to CETA legislation. That resolution reads as follows:

National Federation of the Blind
RESOLUTION 82-03

Whereas, Congress is currently working on comprehensive reform legislation intended to reshape and revise the Comprehensive Employment and Training Act (CETA) along with other laws related to employment and training services; and

Whereas, Job Opportunities for the Blind (JOB) is a national program supported under CETA to address the conditions of unemployment and underemployment prevalent among the blind by assisting blind persons and employers to work together to achieve better integration of the blind into the private sector competitive labor force; and

Whereas, with the notable exception of JOB (which is the only program of its type in existence in this country today), Federally assisted employment and training programs have largely ignored the conditions of unemployment and underemployment faced by the blind, assigning to vocational rehabilitation agencies the responsibility for helping the blind to obtain jobs; and

Whereas, this policy of making vocational rehabilitation the substitute source of employment and training assistance for the blind results in restricting our access to other programs of employment and training assistance; and

Whereas, rather than excluding the blind from the mainstream of employment and training services, Federal policy should encourage integration of the blind into these programs and provide mechanisms (such as JOB) designed to help with this

integration: Now, therefore,

Be it resolved by the National Federation of the Blind in Convention assembled this ninth day of July, 1982, in the City of Minneapolis, Minnesota, that this organization call upon the Congress to enact legislation which will provide blind persons the unrestricted option of receiving employment and training assistance in programs other than the traditional route of vocational rehabilitation; and

Be it further resolved that, in order to accomplish this objective in a cost-effective manner, the program known as Job Opportunities for the Blind should be continued and strengthened under revised CETA legislation, since this is the best means of offering a successful model and providing expert help from the blind in overcoming the unemployment and underemployment problems of the blind.

The principles of this resolution were also explained to the responsible Congressional committees by James Gashel in hearings which led to the passage of the Job Training Partnership Act. Here, in part, is what we said:

With some important exceptions, our nation's employment and training programs have not addressed successfully the problems of unemployment and underemployment among the blind. Hence, the statistic of 167,000 unemployed blind people does not represent a declining figure. Congress should insure by legislative mandate that future employment and training programs, such as those to be established pursuant to bills now before these subcommittees, do include vehicles through which the blind who want to work can help themselves

become self-supporting, tax-paying citizens. Let us end, forever, the idea that the blind, as a class, cannot work as well as others, and let us put aside the false notion that the blind can only be assisted by an elaborate array of rehabilitation therapists and social workers.

In coming before these subcommittees today, we are actually asking you to include methods of addressing the employment problems of the blind within the overall scope of the employment and training policy which Congress will fashion for the nation as a whole. Mr. Chairman, both for historical and philosophical reasons, most people involved in providing employment and training services have tended to rely upon those programs established under the Rehabilitation Act of 1973 and its predecessor acts for all of the resources and solutions to the employment problems of the blind. This approach may not have been the wisest course, but it was partly a matter of necessity. By and large, the regular employment and training programs simply would not deal with us. The attitude has been that we need very sophisticated and specialized services which the ordinary vocational training and job placement agencies believe they cannot offer. The answer has been to refer us back to the vocational rehabilitation agencies, designed exclusively for the blind and handicapped, almost any time we seek entry into the labor force through the more conventional means.

But, Mr. Chairman, vocational rehabilitation is not a bottomless pit of money or of service, and we should not be expected to rely solely upon this resource to the exclusion of other forms of employment and training assistance. Furthermore, while vocational rehabilitation may have demonstrated some capacity to enable persons to become better prepared for employment, the rehabilitation agencies have been sharp-

ly and properly criticized for not having developed a better record of placing people in competitive, unsubsidized jobs. We could suggest many reasons for this, but this discussion would go beyond the bounds of this hearing. Suffice it to say that, even with the present level and type of service from vocational rehabilitation, we still have an unemployment rate among the blind exceeding 70%: a fact which, regardless of the reasons, speaks to the need for pursuing other alternatives.

We believe we have every right to receive all of the benefits of federally-assisted employment and training assistance by means of full participation in all types of programs aimed at serving the unemployed and underemployed. The present review of employment and training policies, occasioned by the expiration next September of the Comprehensive Employment and Training Act (CETA) gives Congress the convenient opportunity to insure that the blind are specifically included and not by implication excluded from these important programs in the future.

This is what we told the Congress by means of an official resolution and testimony. The end result, as it is now found in Public Law 97-300, constitutes a legislative victory with enormous potential. The law contains several specific provisions to insure that handicapped persons (not just the blind) are eligible to participate in job training programs on terms of equality with others. Also, provisions are made for specific target programs, such as JOB.

These features of the Job Training Partnership Act offer to the blind choices which were not available under CETA or its predecessors. The eligibility provisions are most favorable. The general criteria which job training applicants must meet is to be

"economically disadvantaged." By definition, this will include all blind SSI recipients. In addition, however, there is a special eligibility rule for handicapped persons whose family income might otherwise be too high. In short, few, if any, blind persons could be turned away.

With the exception of certain national programs, including JOB, most of the planning and coordinating responsibilities for job training services will rest with the governor of each state and with a state coordinating council. In addition, local services will be organized by private industry councils and units of local government. These councils offer substantial opportunity for leaders among the blind to participate in planning job training programs to insure that they will serve our needs.

Statewide programs to meet job training needs of target groups (for example, the unemployed blind) can also be funded directly under a special services plan, approved and administered by the governor of each state. Agencies for the blind could receive job training grants in this manner and supplement the regular Rehabilitation Act funding which they receive. But this is only one example of how this money can be put to work for us.

Consider the implications. State agencies are fond of explaining how it is that they are running out of money. This, despite the fact that the overall appropriations for rehabilitation have not been cut. We know the truth, and we also know that the Rehabilitation Act need not be the only source of revenue for state agencies. This is so, provided (and it is a large proviso) that the agency administrators are aggressive enough to get a fair share of the funds available from other laws, such as the new Job Training Partnership Act.

By now, in the climate of the Reagan reforms (such as they are), our position concerning rehabilitation funding is surely clear enough. We will support those programs which truly work on behalf of blind people, and we will oppose those which do not do so. We are keeping this commitment. We worked hard to insure that the Job Training Partnership Act would make room for the blind. We did this because jobs and the training to get them ought to be a top priority in service to the blind. For the agencies that serve the blind, however, the name of the game is too often social work, "psychologizing," evaluating, and testing. But, where are the jobs in the end? The Job Training Partnership Act can provide the blind with a needed and meaningful alternative, if we make it work for us.

As is so often the case, it is instructive to consider our role in this legislative victory alongside the absence of the American Council of the Blind (ACB) or any of the agencies, such as the American Foundation for the Blind (AFB) and its other stepchildren. Where were they? If I were a member of ACB, I would begin to wonder. It is not enough to proclaim yourself as a constructive national force, working in Washington on behalf of the blind. The record is being built. Nothing can now erase the evidence of inaction and negativism. The ACB, ALL, NAC, AFB combine is apparently so obsessed with fighting the blind that they cannot bring themselves actually to be constructive forces. So we, the blind, must stand at the barricades alone. We must march together as our own force for better lives. This is precisely what we are doing, for it is the only way for us to achieve true equality.

COLONIAL LIFE HONORS DON CAPPS FOR THIRTY-FIVE YEARS OF SERVICE

(Note: The following article is largely taken from the official publication of Colonial Life Insurance Company of Columbia, South Carolina. Don Capps is not only a pillar of stability and integrity in the Federation but also a civic and public leader in his community and state.)

On April 15, 1947, a lanky 18-year-old young man was hired by Colonial Life & Accident Insurance Company of Columbia, S.C. as a Claims Examiner Trainee. Having graduated from high school in 1946 and armed with a business college diploma, Capps was fortunate in landing the Colonial Life position, winning out over other candidates. While having a serious sight impairment in 1947, six years later Capps' sight had deteriorated to the point that he met the definition of legal blindness. Thus, for the next some thirty years, Capps necessarily and appropriately competed with the "sighted" for promotion and recognition. At a November 11 banquet held at a downtown Columbia hotel, Donald Capps was the recipient of monetary and other gifts by Colonial for his thirty-five years of service. The Chairman and President of Colonial Life, Mr. Gayle O. Averyt, made the presentations to Capps. Among the official comments include the following:

"Don Capps began his thirty-five year career with the Company as a Claims Examiner Trainee on April 15, 1947. He has served as an Assistant Manager in the Claims Department and as an Assistant to Claims' Vice-President. In 1977 Don assumed his current position as Manager—Death Claims. His high level of expertise

and knowledge of the claims area is invaluable to the Company.

"Don's exceptional ability to deal with insurance departments, sales representatives, policyholders, providers, and attorneys is of great value to Colonial. As an evaluator and analyst, Don handles a variety of claims with a commitment to fairness and professionalism. His work is always prompt, thorough and accurate to the finest detail. His leadership abilities as a Manager are recognized in his capability to extend these outstanding qualities to his staff in dealing with complicated and intricate files. Don is a highly skilled communicator, a quality of exceptional importance in his position, and his assistance to our Legal Department in his initial review summary of any legal matter has been invaluable.

"In addition to the dedicated and diligent service Don has given to the Company, he is an active volunteer worker to improve quality of life for the blind and has received national, state and local recognition for his great contribution to this effort. He has served as a member of the Governor's Commission on Employment of the Handicapped and as President of the South Carolina Chapter of the National Federation of the Blind. For many years he has been the First Vice President of the

National Federation of the Blind and a recognized national leader in bringing improvement to the lives of the blind. Colonial is fortunate to have this opportunity to thank Don for the special loyalty and

conscientious service he has given during his thirty-five years with the Company. Don's dedication and professional expertise are most deeply appreciated."

OF BLINDNESS AND BONDAGE

by *Lorraine Stayer*

(Note: We are changing what it means to be blind, but the road still stretches far ahead. If there were no National Federation of the Blind, the prospects would be so bleak as to be desperate—and we would have to create one. Many blind people have broken through the isolation and custodialism to better lives; many more have not. We cannot depend upon the governmental and private agencies; we cannot depend upon their puppet groups which claim to be representative organizations of the blind; we can only depend upon ourselves and the one truly independent, strong, nationwide organization of the blind—the National Federation of the Blind. The following article by Loraine Stayer shows how far we have come and how far we still have to go):

Often, I think about the reasons that I am a Federationist. Originally, joining seemed the thing to do. After all, my husband read the *Braille Monitor* every month. He'd say things like, "Gee, I really ought to join. We think alike." So, finally, I said, "Join or shut up about it." But there was no chapter in our area. We started one, confident that we knew what we were doing. The truth was, we didn't know what the Federation was about, or whether or not we could be considered in the mainstream of the Federation. Picketing seemed extreme to us, and conventions expensive. But we began to go to conventions, and to meet people.

In the beginning, I knew nothing about blindness. My exposure was limited to my husband and one or two friends, neither of whom was, then, a Federationist. But at my first convention, my eyes were opened,

to borrow a phrase. I hadn't known that blind people were lawyers and clerks and engineers. I hadn't known that some labored for peanuts in sheltered workshops. I hadn't known that, that is, until several young men who worked in the workshops joined our chapter. It was one thing to read about it, and quite another to be friends with someone who earned forty cents an hour, when his bosses felt like giving him the work. Slowly, I became aware of the conditions of life of the people whom I met in the Federation. Sheltered workshops are only one aspect. The lives of the people that I met were circumscribed by far more than their salaries.

Only a few minutes ago (as I write this), I spoke on the phone to a young man whom I will call Warren (it's not his name). Warren lives at home. He is a member of the Federation, and has been for five or six

years. However, he has not come to very many chapter meetings. At first, he pleaded distance. Yet, he journeyed to conventions in other states. Finally, he nerved himself to admit that his parents didn't allow him to come to meetings. He is an adult, near thirty, with a job of his own. But, because he lives at home, he must obey his parents. When asked why, he hinted that his parents made it uncomfortable for him otherwise. They don't like the Federation. He hasn't said they beat him. But another friend, call him Cari, who no longer lives at home, freely confesses that while he lived at home, up until three years ago (he was 23), his parents beat him if he did something that smacked of independence. My folks tried that on me once, and the following month I had my own place. But when I told that to Diane, another Federationist, I was told, "But you're sighted." My statement was that this shouldn't make a difference. But to Diane it does. She still lives at home. Her parents treat her as if she were totally incapable of acting above the level of a three-year-old. Diane is thirty, and her parents are sixty and above. I've asked her what she'll do when they die. She says her sister will take care of her. Diane is a good traveller when she puts her mind to it, and has a college degree. But her parents have seen to it that she does not believe in herself. I asked her once if she had ever considered getting married. She just laughed. Another friend, Olive, had a rude shock when she was twenty-five. Both of her parents died, as the result of an accident. She was suddenly liberated, and very much at sea. There was no one to take care of her. She had to progress from five years of age to adult in a matter of months. When she talks about it, she talks of a severe emotional trauma. She hopes Diane

will learn from her experience, but Diane only laughs. Then there's Eddie, who liberated himself from parents who tried to keep him a child. He took a room, and sought a job. But because he was only legally blind, and not totally blind, the New York State Commission for the Blind had never taught him to read Braille, and he cannot see well enough to learn print. Consequently, the only work he can find (at present), in a sheltered workshop, pays \$12 a week. With his SSI money, he does not make enough money to do more than survive. Consequently, he cannot marry his girlfriend and create a real life for himself. He is a man of spirit and ambition, but unable to get himself out of his present dilemma. And finally, there is Katie, who has managed, by fighting the Commission, to get the training she wanted, in the field she wanted (rather than the field they had selected for her), and who has obtained an apartment of her own, but who has yet to find a job. Katie, also, is a girl of spirit. It sometimes takes her longer to get where she is going, but she gets there. Yet, because of the attitudes of those around her, she has had to fight every inch of the way.

Without exception, every one of these people is a Federationist. Sometimes their attitudes are surprising to other Federationists. But they have joined the Federation seeking to change the condition of their lives. As I said to Warren today, "Do you realize that you're telling me that you're a prisoner in your own home?" When one's own family serves as jailer, the outlook is bleak indeed. But, as Warren assured me, he isn't going to put up with it forever. As soon as he finds someone to cook for him and otherwise take care of him, he's going to move.

OF BEEPERS, MASS TRANSIT, AND CIVIL RIGHTS

The battle by the blind for equal treatment and first-class status takes many forms. Sometimes it is sudden and dramatic. Sometimes it is detailed and commonplace. It can involve anything from whether the courts can take a baby away from its mother because she is blind to the right of the blind to ride on public transportation without being forced by the government to use special beepers or other such unwanted devices to help them find their way.

The following documentation is self-explanatory. At first glance the casual observer or the uninformed may think it is trivial. Far from it. It symbolizes patterns and underscores ways of thought which are as old as ancient custodialism and fear of the dark. Human dignity and the right to equal treatment under the law cannot be compromised. Step by step we are winning our way to full acceptance as equal partners in society. The following correspondence and newspaper articles illustrate the complexity and the difficulty:

Baltimore, Maryland
December 8, 1982

Mr. Robert M. Johnson
Executive Director
Architectural and Transportation Barriers
Compliance Board
Washington, D.C.

Re: 502 Complaint Due to the Creation
of Attitudinal Barriers

Dear Mr. Johnson:

By this letter the National Federation of the Blind of Maryland (NFBM) wishes formally to file a complaint pursuant to Section 502 of the Rehabilitation Act of 1973, as amended, (29 U.S.C. 792) against the Mass Transit Administration (MTA) (an administration of Maryland Department of Transportation) and the Maryland Board of Public Works.

The basis of this complaint is not the refusal to provide a service or accommodation which is needed by blind persons or required by law: It is the exact opposite. It is a case of "overkill": where in the name of the law, an unneeded and unwanted accommodation is made which will cause harm to blind persons.

The City of Baltimore, Maryland is in the process of constructing a new subway system. This system is under the control of the Mass Transit Administration. In early 1982, the Mass Transit Administration announced to the general public that doors on the new subway cars would have "beepers for the blind," at great expense to the taxpayers. The decision to install the beepers was clearly made based upon the erroneous assumption that blind subway travelers would be unable to locate car doors unless an audible device were available. The decision to install the beepers was made without consultation with the blind consumers who will use and/or be adversely affected by such buzzers.

The NFB of Maryland is strongly opposed to the installation of "beepers for the blind" since they will be of no practical use to anyone but, on the contrary, will create "attitudinal barriers" which will be of irreparable harm to blind persons in the

Baltimore area. The attitudinal barriers which will result from the installation of these unnecessary devices are twofold:

1) The general public—the average citizen, including the average employer, already assumes that blind persons are generally helpless individuals who cannot function on equal terms with sighted individuals. This "social attitude" is the real problem which we as blind persons must face and overcome. We who are blind are working as hard as we can to replace outdated myths with the truth about our abilities. If unnecessary gimmicks such as "beepers for the blind" are installed, and if the public's attention is drawn to the fact that blind persons cannot function without such devices, then the gimmick or gadget will serve only to perpetuate and magnify the stereotyped attitude which already exists. Sighted employers and employees who ride the subway every day will be reminded as they listen to the beepers, that blind persons are "different" and unable to compete or to function in the real world. In short, installation of these devices will serve to create additional "attitudinal barriers" which can only serve to harm blind persons in the Baltimore area.

2) The blind—the installation of beepers will also serve to create attitudinal barriers in the minds of blind persons, particularly the newly blinded. If a newly blinded individual learns to travel independently in the Baltimore area, and if that individual develops sufficient confidence to travel the subway system alone, he or she will falsely assume that the only reason the doors can be found easily is because of the beepers. However, no other subway system in America has beepers on its subway car doors. There-

fore, it is a virtual certainty that the blind person in Baltimore who travels the subway system will refrain from using subway systems in other cities since beepers are non-existent: he or she may become extremely limited by falsely assuming, based upon the attitudes developed in Baltimore, that subway travel is unsafe or impossible without beepers. This result will occur in spite of the fact that trained blind persons now travel subways easily and safely every day.

The MTA has contended and will most likely continue to contend that, while well trained blind persons do not need such gadgets, less experienced or untrained persons can benefit from them. On the surface this line of argument would appear to be "logical." However, such "logic" is not always accurate. The fact is that inexperienced or untrained blind persons do not attempt to travel alone. Therefore, there is no risk to these individuals and no need for the gadgets.

The NFB of Maryland has pointed out the problems discussed above to the MTA and the Maryland Board of Public Works on numerous occasions and through various methods. The MTA has steadfastly refused to listen to what the blind of the area have to say. The MTA has operated and continues to operate on the outdated premise that it "knows what is best for the blind."

The installation of beepers by the MTA and the Board of Public Works, and the inevitable creation of attitudinal barriers, is a violation of Section 502 (b) and (c) of the Rehabilitation Act of 1973 as amended (29 U.S.C. 792). Subsection (b) of Section 502 reads in relevant part as follows: "It shall be the function of the Board to: . . . (2) investigate and examine alternative approaches to the . . . attitudinal barriers confronting handicapped individuals, par-

ticularly with respect to . . . public transportation (including air, water, and surface transportation whether interstate, foreign, intrastate, or local)"

In addition, Subsection (c) of Section 502 reads in relevant part as follows: "The Board shall also . . . (2) determine what measures are being taken, . . . (A) to eliminate barriers from public transportation systems (including vehicles used in such systems), and to prevent their incorporation in new or expanded transportation systems. . . ."

From the foregoing, it is clear that the Board has jurisdiction in this case. The NFB of Maryland, acting for itself and representing blind individuals in Maryland, has pointed out the problem of attitudinal barriers to the MTA, and the MTA has steadfastly refused to grant the relief sought.

To present background information and evidence, we respectfully request that the following letters and newspaper article be incorporated by reference and made a part of this letter of complaint:

- 1) February 26, 1982, letter from Althea P. Pittman to Governor Harry Hughes;
- 2) February 26, 1982, letter from Althea P. Pittman to David Wagner;
- 3) March 8, 1982, letter from Walter S. Orlinsky to David A. Wagner;
- 4) March 12, 1982, letter from David A. Wagner to Althea Pittman;
- 5) March 22, 1982, letter from Althea Pittman to David A. Wagner;
- 6) April 1, 1982, letter from Governor Harry Hughes to Althea Pittman;
- 7) June 23, 1982, letter from David A.

Wagner to Althea Pittman;

8) August 29, 1982, article from the Evening Sun;

9) October 4, 1982, letter from James H. Omvig to State Board of Public Works. The Board has failed to respond to this letter.

Based upon Subsection (d) of Section 502 of the Rehabilitation Act of 1973, as amended, we respectfully request that the Board conduct an investigation, hold a public hearing and issue an order of compliance requiring that the MTA abandon its plan to install " beepers for the blind." If the MTA indicates that it does not intend to abandon the project, then we request that the order of compliance include the withholding or suspension of federal funds from the subway project until such time as the MTA provides the Board with adequate assurance that it will refrain from unnecessarily creating attitudinal barriers.

The National Federation of the Blind of Maryland herewith authorizes you to disclose its name to the public in connection with this complaint and subsequent proceedings.

Very truly yours,
James H. Omvig, President
National Federation of the Blind
of Maryland

Baltimore, Maryland
February 26, 1982

Governor Harry Hughes
Annapolis, Maryland

Dear Governor Hughes:
The Board of Public Works has decided

to spend \$148,000 on " beepers" for the blind to be installed on the Baltimore Subway System. This decision was reached without consulting the blind.

The Greater Baltimore Chapter-National Federation of the Blind of Maryland has considered your decision and found it without merit. This expenditure is a waste of money. The blind in the City of Baltimore call on you to reverse this decision. At our February, 1982 meeting, we discussed your decision in detail and voted on a resolution to request that you consult with the organized blind of Baltimore to insure that modifications to the subway system are meaningful and not simply an empty gesture and a waste of public money.

One final comment is in order. The Hughes Administration has consistently ignored the views of blind people. As a consequence, the Hughes Administration is ignorant of the needs of the blind through its own fault. This fact is borne out by the decision of the Hughes Administration to spend \$148,000 on a project for the blind which the blind don't want. We ask for a meeting to discuss appropriate modifications for the blind in the construction of the subway system.

Sincerely yours,
Althea P. Pittman
President—Greater Baltimore Chapter
National Federation of the Blind
of Maryland

Baltimore, Maryland
February 26, 1982

Mr. David Wagner
Administrator
Mass Transit Administration
Baltimore, Maryland

Dear Mr. Wagner:

We have been in correspondence with the Board of Public Works regarding the subway system. The blind of Baltimore are not represented on your Accessibility Committee. At our February meeting of the Greater Baltimore Chapter-National Federation of the Blind of Maryland, we passed resolutions regarding these matters. I enclose the correspondence and the resolutions for your information.

We insist that the organized blind be represented on your 504 Implementation and Advisory Committee. If we cannot have meaningful input to the Mass Transit Administration on a policy level, we must go to the legislature and make our wishes known.

Sincerely yours,
Althea P. Pittman
President
Greater Baltimore Chapter
National Federation of the Blind
of Maryland

Baltimore, Maryland
March 8, 1982

Mr. David A. Wagner, Administrator
Mass Transit Administration
Baltimore, Maryland

Dear Dave:

For the past few years I have been working with the National Federation of the Blind. They have sent you copies of their recent Resolution dealing with your \$148,000 expenditure to equip the subway cars with buzzers. They most pointedly suggest that it is a waste of money. This organization has spearheaded drives for and with blind people all over the country. Their expressions of points of issues relat-

ing to the blind have almost always made eminently good sense to me. Their accomplishments would indicate that they know what they are talking about. Lord knows, as an organization made up of blind people, they may well have a much better insight and feel for the needs of the blind than sighted people do. All too often those of us who are sighted over-react to what we perceive, unknowingly, to be their needs.

I strongly urge you to meet with these people. They are reasonable and rational and are far more knowledgeable about the needs of the blind than you or I.

Sincerely,
Walter S. Orlinsky, President
Baltimore City Council

Baltimore, Maryland
March 12, 1982

Ms. Althea Pittman, President
Greater Baltimore Chapter
National Federation of the
Blind of Maryland

Dear Ms. Pittman:

This is in response to your letter of February 26.

The 504 Implementation Advisory Committee is an open citizens' process that advises the MTA on many aspects of our operation concerning elderly and disabled patrons. The Greater Baltimore Chapter of the National Federation of the Blind of Maryland is welcome to join and participate in this committee. You will be notified of all upcoming committee activities.

The "beeper" feature on the Baltimore Metro vehicles was the result of citizens' input and discussions several years ago. The MTA began working with the Transportation Committee of the Maryland Rehabili-

tation Counseling Association: disabled citizens including blind persons, in 1972 to assure that the rapid rail system was totally accessible to all disabled persons. I have spoken with several persons involved with the design and committee at that time.

The committee's initial concern was focused on having the vehicles stop at the same spot on the platform which could then be tactiley marked. As the vehicles move at high speeds and the trains will vary in length, this type of precision was not possible.

This concern evolved into including a beeper at the center door of each car to signal persons. The decision to include the beeper was not made lightly by the MTA. The beeper is designed to produce a tone at intervals and includes a variable timer with a range of 0 to 60 seconds. This type beeper was determined adequate and no technical research and development was undertaken. The MTA believes a prudent decision was made to include the beeper feature. The beepers cost a total of \$48,600 which included design and engineering, materials, installation and testing. This is \$675 per car and less than .1% of the total cost of each car. This feature cannot be deleted at this time.

The MTA appreciates the concerns expressed in your resolution. However, we do not believe that MTA should be called on to arbitrate the differences in philosophy among blind persons on inclusion or exclusion of aides for travel. At the time the decision was made, the MTA was being responsible in involving disabled persons in the design considerations. Although public agencies have a responsibility to involve citizens, the citizens have a responsibility to be involved through their representatives. The MTA, therefore, believes that the blind citizens in Baltimore should discuss their differing philosophies and make a recommendation to the MTA on the actual

operation of the beeper.

We are hopeful that you can reach resolution and would be happy to meet at that time.

Sincerely,
David A. Wagner
Administrator
Mass Transit Administration

Baltimore, Maryland
March 22, 1982

Mr. David A. Wagner, Administrator
Mass Transit Administration
Baltimore, Maryland

Dear Mr. Wagner:

This is in response to your letter of March 12, 1982. I must say I was shocked and dismayed by your attitude! I spent weeks trying to contact you by telephone both before and after I wrote you. I finally reached an assistant. I feel as though you refuse to talk with me. In spite of this, on March 12 you sent me a letter which is both unresponsive and arrogant.

You say: "The 504 Implementation Advisory Committee is an open citizens' process that advises the MTA on many aspects of our operation concerning elderly and disabled patrons." The Greater Baltimore Chapter of the National Federation of the Blind has attempted to advise you on the needs of the blind, and your letter said clearly that you are refusing to heed our advice.

In response, it is my duty to inform you that we are refusing to permit you to disregard our needs. The purpose of this letter is to insist that you meet with representatives of the Greater Baltimore Chapter of the National Federation of the Blind immediately so that we can tell you the problems

the beepers will cause. You have told us that some say they will bring benefits. We tell you they will cause serious problems. If you are not aware of these problems, (and your letter would indicate that you are not) you need to be. If you have not contacted me to schedule a meeting within the next two weeks, I will be forced to take other steps to make you aware of our needs.

I must comment on one other aspect of your letter which shocked and dismayed me. You say: "However, we do not believe that MTA should be called on to arbitrate the differences in philosophy among blind persons on inclusion or exclusion of aides for travel." Let me tell you emphatically that you are called on to do no such thing. Your letter of March 12 says loudly and clearly that the MTA cannot perform such an assignment. We agree with you on that point. It is not likely that all the blind people of Baltimore will ever agree on exactly what is needed, anymore than all women can be expected to agree on the ERA, or all busriders are likely to agree on exactly what the routes should be. You have to make decisions based on what the majority wants. The Greater Baltimore Chapter of the National Federation of the Blind is by far the largest organization of blind persons in the city, and the National Federation of the Blind of Maryland is by far the largest organization of blind persons in the state. If you disregard what we tell you, you are disregarding the needs of the majority of the blind who will ride the subway. We will not let you do this if we can prevent it.

Sincerely,
(Ms.) Althea Pittman, President
Greater Baltimore Chapter of
the National Federation of the Blind

P.S. Mr. Wagner, let there be no misunder-

standing. It is essential that you personally meet with us on this matter.

Annapolis, Maryland
April 1, 1982

Ms. Althea Pittman
President
Greater Baltimore Chapter
National Federation of the Blind
of Maryland

Dear Ms. Pittman:

This is in response to your letter of February 26, 1982 concerning your organization's opposition to the expenditure of funds for "beepers" on the Baltimore Metro's rail cars.

My understanding is that Mr. David Wagner, Mass Transit Administrator, has recently responded directly to you on this issue. Mr. Wagner's letter presents thorough answers to your requests and explains the open process used by the Mass Transit Administrator in reaching a decision in regard to the beepers.

I trust you found Mr. Wagner's letter informative and I hope you will accept his invitation to participate in the 504 Implementation Advisory Committee's activities.

My Administration continues to be concerned about the needs of blind and visually impaired persons. We have made significant progress and improvements the past several years in the provision of services to blind citizens through Blind Industries and Services of Maryland. We have made similar progress in the Division of Vocational Rehabilitation, the Maryland School for the Blind and the Library for the Blind and Physically Handicapped.

All of these agencies are willing to meet with you or members of your organization to consider your needs and views. In addi-

tion, I have asked John A. Lancaster, Director for the Office for Coordination of Services to the Handicapped, to contact you to discuss your concerns.

I appreciate having the benefit of your views on these matters.

Sincerely,
Harry Hughes
Governor

Baltimore, Maryland
June 23, 1982

Ms. Althea Pittman, President
Greater Baltimore Chapter
National Federation of the Blind
of Maryland

Dear Ms. Pittman:

I have carefully considered all factors involved with the beeper feature for the Baltimore Metro rail cars. Through my meetings with you and other representatives of the Federation, I understand your position and the perspective of your organization.

However, as Administrator of the Mass Transit Administration, I have a responsibility to provide for the safety of all citizens who will use public transit. It is because of this responsibility that I cannot discount nor ignore the needs of other blind persons who believe that this feature is needed for their safety in using the Baltimore Metro. Therefore, the MTA will proceed with the installation and operation of the beeper.

In general, I endorse the purpose and beliefs of your organization. I am sensitive to your position that the beeper may continue the stereotype of blind persons needing assistance. Because of this, the publicity of this feature will be targeted to

special groups and not included in the general literature about the Baltimore Metro.

The MTA values the input of citizens who are concerned about the development and operation of transit. I look forward to the continued interest of the Federation.

Sincerely,
David A. Wagner
Administrator
Mass Transit Administration

**BLIND GROUP OPPOSES PLAN
FOR SUBWAY CARS**

By Peter Ruehl
Evening Sun Staff
Baltimore Evening Sun
August 29, 1982

About 50 members of the Baltimore chapter of the National Federation of the Blind demonstrated against a Mass Transit Administration plan designed to aid blind subway riders.

The demonstration yesterday outside the MTA headquarters on Redwood Street focused on a \$48,000 beeper system proposed for subway cars.

The beepers would be located on the middle door of the cars, each of which will have three doors, according to MTA spokesman Jane Howard. Blind persons could use the "soft-toned" beep to determine where the door is located when entering the train car.

"The idea is that the blind could use the center door and be steered away from the doors on either end," Howard said. "Otherwise they might mistake the space between the cars for a door."

The National Federation of the Blind opposes the beepers on grounds they are unnecessary and too expensive for the

service they render.

"Our experience," said Marc Maurer, a local federation leader, "is that special features for the blind on subways or elsewhere will frequently mean that blind persons will not be permitted to go places which do not have those features.

"Buzzers are a waste of taxpayers' money, harmful to the good name of the blind and likely to cause even more problems for us."

Many sighted persons, said David Robinson, the local chapter's secretary, may resent the special treatment being afforded the blind. In addition, he said most blind persons capable of taking the train do not need the beepers.

"Anybody good enough to travel to the station, get down to the trains, is good enough to get on and off when the doors open," he said.

Howard said the MTA decided to install the system after consultation with specialists in the area of handicapped services, including several blind persons.

"Our decision was based on the recommendation of the transportation committee of the Maryland Rehabilitation Counseling Association," she said. "We've been working with them on the design since 1972."

The national federation nevertheless has taken the position that the system is a frill. A flier distributed during the demonstration said the beepers "will help no one and cause distraction and unnecessary noise at subway stations."

Maurer said blind people "support good public transportation. We deplore unnecessary and expensive gadgets for the blind."

Reporter Nick Yengich contributed to this article.

State Board of Public Works
Annapolis, Maryland

Harry R. Hughes, Governor
Louis L. Goldstein, Comptroller
William S. James, Treasurer

Gentlemen:

On behalf of the members of the National Federation of the Blind of Maryland, I wish to appeal to you to take decisive and corrective action on a matter of great concern to the blind of Maryland. Attached please find Resolution 82-05 which was passed unanimously at our recent State Convention.

Briefly stated, the problem is this: In recent years, it has become fashionable in some circles to "help the blind and handicapped" in a variety of ways. I suppose all of this "help" began with the passage of Section 504 of the Rehabilitation Act of 1973, as amended. Very often, however, the assistance given has been based upon assumptions not made by the blind and handicapped but by others who contend that they know what is best.

This condition now exists in the field of public transportation. Some well-intentioned but misguided academicians came up with a proposed set of rules to provide public transportation services for blind and handicapped individuals. The Federal Department of Transportation uses certain of these guidelines as suggestions.

Unfortunately for us, the Mass Transit Administration apparently got its hands on a copy of this "guide book". Based upon this book, the MTA has decided to install "beepers and buzzers" on the doors of the new subway cars so that "the blind can find them". This action was taken with no consultation whatever with representative organizations of blind individuals.

There are two major problems with such gimmicks:

First, we who are blind already have to contend with an extremely negative public attitude about our capabilities. Unneeded and unwanted devices such as these buzzers simply continue to stereotype the helplessness of blind persons and tend to make others think of us as different.

Secondly, such devices simply do not exist most places in this country. If the newly blind of Baltimore would learn to use the subway system but assume the only reason they can do so was because of the buzzers on the doors (accommodations for the blind) they would never feel competent to use other systems and to travel alone.

These facts were brought to the attention of the MTA. However, MTA officials have been either unwilling or unable to listen and to understand, and they have now told us that they will proceed with their costly plan whether we like it or not.

Therefore, we appeal to you to put a stop to this ridiculous and wasteful plan. We would like to meet with you to discuss this entire matter.

Very truly yours,
James H. Omvig
President
National Federation of the Blind
of Maryland

**NATIONAL FEDERATION OF THE BLIND
OF MARYLAND
RESOLUTION 82-05
MASS TRANSIT ADMINISTRATION**

Whereas, the Mass Transit Administration has announced its plan to install buzzers at subway doors in order "to make it possible for the blind to find the doors" —a decision which was made without consulting the blind to determine if a real need exists; and

Whereas, these "buzzers for the blind" will encourage all subway riders to believe that the blind are helpless and will encourage newly blinded persons falsely to assume that they can travel only where buzzers exist; and

Whereas, the organized blind of Baltimore have attempted to prevent the installation of these buzzers through correspondence, meetings, by negotiation, and when all else failed, by picketing the MTA headquarters; and

Whereas, the views of the National Federation of the Blind have been consistently and flagrantly disregarded—a situation which cannot be tolerated; and

Whereas, these unnecessary and unwanted "buzzers for the blind" will cost Maryland taxpayers more than \$48,000.

Now, therefore, be it resolved by the National Federation of the Blind of Maryland in convention assembled in the City of Baltimore this 28th day of August, 1982 that this organization condemns and deplores the "buzzers for the blind" and also the insensitivity which they exemplify and be it further resolved that this organization appeals to the Maryland State Board of Public Works to stop the installation of buzzers on subway car doors; and

Be it further resolved that we call upon the Maryland State Board of Public Works to instruct the MTA that all future decisions affecting the blind must be made in consultation with the organized blind—the National Federation of the Blind of Maryland.

The federal government should cut off money for the Baltimore subway system because it uses \$48,000 worth of beepers to help blind riders locate subway doors, the Maryland chapter of the National Federation of the Blind said yesterday.

In a complaint to the U.S. Architectural and Transportation Barriers Compliance Board, the group said the beepers were gimmicks of "no practical use to anyone," and would create "attitude" barriers that would cause Baltimoreans to think blind people are helpless.

"Sighted employers and employees who ride the subway every day will be reminded as they listen to the beepers that blind persons are 'different' and unable to compete or to function in the real world," said the group's president, Jim Omvig, a lawyer with the Social Security Administration. Omvig, who noted he and many other blind people have ridden subways in New York and Chicago, said the noise the doors make normally, as well as the crowd movement and noises, are sufficient cues.

The group filed the complaint against the Maryland Board of Public Works and the Metropolitan Transit Authority in Baltimore. Members of the group had met with both agencies in the past in an attempt to silence the beepers.

David Wagner, administrator of MTA, said the beepers were included after meetings with the transportation committee of the Maryland Rehabilitation Counseling Association in 1972. He said the devices cost \$675 per car and in a letter to the group, he said, "This feature cannot be deleted at this time."

Sandy Koester, secretary to the Board of Public Works, said the board overruled the group's complaint last month. "We discussed it at two of our meetings. The MTA made it clear that safety was more important than anything." She said the group "apparently does not speak for all

MD. BLIND GROUP FIGHTS BEEPERS IN SUBWAY CARS

By Margaret Engel
Washington Post Staff Writer
Washington Post
December 10, 1982

blind people in Maryland. You try to please everybody, and you end up stepping on

someone's toes."

BLIND IOWANS PICKET NOLDEN GENTRY

Nolden Gentry (the Chairman of the Board of the Iowa Commission for the Blind) has, by now, achieved a somewhat dubious notoriety throughout the entire country. There is scarcely a blind person anywhere in the nation who does not know the name and understand something about Gentry's carryings on. On Monday, November 29, 1982, members of the National Federation of the Blind of Iowa picketed Gentry's law office. Apparently he did not have the stomach to come out and meet them or to answer phone calls from the press. The NFBI issued a news release, and the picketing was reported the following day in the *Des Moines Register*:

FOR IMMEDIATE RELEASE
Des Moines, Iowa
November 29, 1982

The President of the National Federation of the Blind of Iowa, Peggy Pinder, announced plans for a day-long public demonstration. The event will take place Monday, November 29, at 550 39th Street, Des Moines where Nolden Gentry, Iowa Commission for the Blind Board Chairman is a partner in the law firm of Scalise, Scism, Gentry, Brick and Brick. Pinder said, "This is an expression of the frustration blind all over the state are feeling because Gentry simply doesn't care." She continued, "We have invited him time and time again to meet with us and he's always refused."

Verla Kirsch of Clarinda, a NFBI board member, commented about her reason for demonstrating. "I just want Gentry to know how unfair it is for him to pay more attention to giving a job to a friend than giving good service to the blind." Kirsch said. "Nancy Norman could not have received the directorship on her own merits. The fact that Norman's husband is Des Moines lawyer Keith Uhl, a partner in Gentry's firm, obviously made the difference. That's why I made the bus trip to be here."

Pinder, an attorney herself, continued, "I'm extremely concerned about the faltering of programs at the Commission and it can't help but worsen with inadequate leadership. Gentry is ultimately responsible and we see his resignation as the only way a good program will prevail and the Commission can once again be nationally respected. We hope, by means of this lawful effort, to educate and alert others of Gentry's total disregard for needed services and fair treatment to Iowa's blind."

The NFBI has previously protested the appointment of Nancy Norman Uhl as Commission director and pointed out the conflict of interest when Gentry paved the way for his law partner's wife to receive the \$37,500 per year position.

The Des Moines Register
November 30, 1982

BLIND FEDERATION MEMBERS

CARRY SIGNS AGAINST GENTRY

by Charles Bullard
Register Staff Writer

Sign-carrying members of the National Federation of the Blind of Iowa demonstrated here Monday to draw attention to their demand that Nolden Gentry resign as chairman of the Iowa Commission for the Blind.

As many as 20 NFBI members marched back and forth on the sidewalk in front of Gentry's law firm at 550 Thirty-ninth St. during the nine hours of picketing.

Gentry did not emerge from his office to meet with the demonstrators. "He refuses to talk to us when we have legitimate concerns," said Tami Dodd of 3822 Fifty-second St., secretary of the NFBI student chapter.

Gentry did not return a telephone call from The Register.

Dodd said her organization wants Gentry

to resign because "we feel the quality of the services provided [by the Commission for the Blind] is not as good as it was in the past before Gentry became a member of the board. We feel this stems from his lack of concern for the blind consumer."

Dodd said Gentry "hasn't made any real effort to learn about the problems of the blind."

"He is afraid to associate with the blind because he knows he is not doing the job," added Carol Smith of 3204 Kinsey St., chairman of the NFBI membership committee.

Smith reiterated the NFBI's criticism of the recent appointment of Nancy Norman as director of the blind commission. Norman's husband is one of Gentry's law partners, and Smith said Gentry had a conflict of interests when he voted for Norman.

Gentry has denied that charge repeatedly.

RIGHTS AND REQUIREMENTS FOR BENEFITS**UNDER SOCIAL SECURITY AND SUPPLEMENTAL SECURITY INCOME:****THE SPECIAL RULES FOR THE BLIND**

by James Gashel

If you are blind, what rights do you have concerning eligibility for Social Security Disability Insurance (SSDI) benefits? Can you work and still receive these checks? What about Supplemental Security Income (SSI)—what does it mean, and what are your rights? These and many more questions are frequently asked by blind persons seeking to understand the maze of rules, regulations, and forms involved in

dealing with Social Security.

At the 1981 Convention of the National Federation of the Blind, we asked Paul Simmons, Deputy Commissioner at the Social Security Administration, to consider publishing a special guide for blind persons and Social Security Claims Representatives. We pledged to collaborate in this effort, and Mr. Simmons responded affirmatively. In late summer and throughout the fall of

1981, we worked with Social Security staff from the Baltimore headquarters. The idea was to develop a "reference guide" for all Claims Representatives. At the same time, however, we wanted to help persons outside of Social Security. On August 20, 1982, the Baltimore headquarters office of the Social Security Administration transmitted the final product of our work to all Social Security district offices. The document is an interview guide for the Social Security Claims Representatives. Any Claims Representative can locate this guide in Social Security's primary set of instructions known as the "Program Operations Manual System," (POMS). The guide called "Interviewing Blind Persons" will be found at section 00203.123 of the POMS.

The transmittal notice issued by the Social Security Administration on August 20, 1982, explains the purpose for the interview guide and how it came about. The notice also includes a document entitled "Explanation of Manual Changes." Then, following the explanation, there is a preface to the guide itself. These documents will help any Social Security Claims Representative locate the special provisions for blind persons under the Social Security Disability Insurance (Title II) Program or the Supplemental Security Income (Title XIV) Program. Accordingly, the entire text of the transmittal notice and related explanations is reprinted below:

TRANSMITTAL NO. 1

SSA Pub. No. 68-0200203

August 20, 1982

*Audience: CR, FR, OA, OS, RR, CDC,
CFC, TSCTA, CLADJ, (ODO) CATA,
CCDIPS, DCE, DEC, RECOME*

Originating Office: SJH-41

PROGRAM OPERATIONS MANUAL SYSTEM

Part 02—General

Chapter 002—Applications and Interviews

Subchapter 03—Interviewing

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Background

This transmittal introduces a reference guide which identifies, describes and cites manual references to special provisions for the blind under titles II and XVI. This guide was developed in response to a request from the National Federation of the Blind that blind people be fully informed about their rights and responsibilities under the Social Security programs. The Federation is concerned that field personnel who interview blind persons be able to locate pertinent manual sections quickly.

The highly complex and technical nature of the blind provisions makes it essential that the appropriate manual sections be read and followed explicitly in determining eligibility. Accordingly, the format for this guide was designed to describe, not summarize, each subject. Appropriate references are cited so that field personnel can immediately locate the detailed information needed to explain these special provisions to blind persons.

There are no new instructions or policies being issued by this transmittal. The purpose is strictly to provide a useful reference tool which will assist interviewers in providing accurate information on the

blind provisions.

Action Notes

GN 00203.008 B.—Change last sentence to read "Also, the inability to carry on a previous or usual line of work may not mean that the impairment is severe enough to meet the requirements of the Social Security Law."

GN 00203.020 E.—Second Line—place "no" after "has" and before "reason."

Effective Date: Upon Receipt

Distributed on list 190, 195, 199, 341

To adjust quantity requirements, submit form SSA-1296, "Request for Address or Distribution Change", using the list number on the address label.

U.S. Department of
Health and Human Services
Social Security Administration
Office of Operational Policy and Procedures
SSA Pub. No. 68-0200203
I.C.N. 996704

EXPLANATION OF MANUAL CHANGES

00203.123 Interviewing Blind Persons

The guide introduced in this section identifies areas in which there are special provisions for the blind in titles II and/or XVI. Areas included in the guide are: medical definition of blindness, entitlement, Supplemental Security Income, work activity, continuing disability and vocational rehabilitation. For each area identified, specific subjects are listed, described and citations to relevant manual sections provided.

00203.123 INTERVIEWING BLIND PERSONS

Special provisions for the blind under the Social Security (title II) and Supplemental Security Income (title XVI) programs are located in various parts of the Program Operations Manual System and the Claims Manual. The purpose of this table is to provide, in one location, brief descriptions of these provisions with appropriate manual reference citations to enable the district office interviewer to locate quickly the detailed information needed to explain these highly technical provisions to blind applicants.

The interview guide, itself, is highly technical. Its purpose is to compile in one table all references to special blindness provisions in the Social Security programs. The balance of this article will be a more basic explanation of these provisions, the technical language of which will be found in the "Program Operations Manual System," maintained by the Social Security Administration. Social Security Claims Representatives should be able to locate and explain these rules. The guide will help them do this. This is a major, positive development in Social Security's service to us. It represents a constructive and genuinely helpful approach. The people at a Social Security office will normally do their best to answer your specific questions. But, the accuracy of the answer you receive may often depend upon the preciseness of the question you ask. The information in this article should help anyone approach these matters with greater knowledge, and Social Security's interview guide should help to locate the exact rules which apply.

FACTS YOU SHOULD KNOW CONCERNING DISABILITY INSURANCE

Social Security Disability Insurance, known by its initials as "SSDI," protects working persons from the complete loss of income in the event of a disability. Cash benefits are payable to disabled workers and their dependents. Medicare coverage is also provided after two years of eligibility for SSDI checks. SSDI is operated under the principles of insurance, not welfare. Hence, being poor is not an eligibility requirement.

These concepts are generally applicable to blind persons as well as to persons with other disabilities. However, several rules apply in special ways to the blind. These and other significant eligibility requirements may be categorized as follows: (1) the blindness requirement; (2) the substantial gainful activity test; (3) impairment related work expenses; (4) fully insured status; (5) recent work test; (6) period of disability; (7) disability freeze; (8) trial work period; (9) working blind age 55 to 65; (10) dependents benefits; and (11) Medicare.

The Blindness Requirement: Blindness is a qualifying medical condition, having a specific definition in the SSDI program. A person is regarded as blind if central visual acuity is 20/200 or less in the better eye with the best correcting lens, or if the field of vision is 20 degrees or less. Anyone whose vision is restricted enough to meet this definition for a period of at least twelve months or longer, meets the medical qualification for "blindness," and will be regarded as "statutorily blind." This is the critical first step in establishing eligibility for benefits.

Substantial Gainful Activity: The concept of "substantial gainful activity" (SGA) is

used in Social Security to determine whether or not a blind person will be entitled to SSDI checks. Thus, blindness alone is not the only factor. SGA is an evaluation of any work which a person may be doing. The evaluation is based on earnings. To be eligible for benefits, a blind person may not perform SGA, or, in other words, have earnings exceeding \$550 per month during 1983. With a few exceptions, entitlement ceases for blind persons with higher earnings. The SGA amount for any year is determined on the basis of increases in the cost of living and is announced annually at the end of the year preceding the year in which it is effective.

Impairment Related Work Expenses: If a blind person who works has expenses attributable to blindness and necessary for doing the work, these costs may be deducted from gross earnings in order to determine SGA. Payments to readers, purchases of aids, and special transportation expenses (if suitable alternatives are not available) are examples of deductible impairment related work expenses. These deductions will offset earnings which must otherwise be counted in determining SGA. These are the only allowable deductions from gross earnings. Hence, they can make the difference between eligibility or ineligibility for benefits.

Fully Insured Status: In addition to meeting the blindness and SGA requirements, a blind person must have worked long enough under Social Security-covered employment to be "fully insured." How much work depends upon a person's age at the onset of blindness or at the time the individual ceases to perform SGA. Two general rules can be stated: one applies to persons age 21 in 1950 or before, and the other applies to anyone younger than this. A blind person in the former group must

have enough quarters of Social Security-covered employment to equal the number of years between 1950 and the year of disability onset. A blind person reaching age 21 after 1950 must earn enough quarters under Social Security-covered employment to equal the number of years between the year of age 21 attainment and the year of disability onset. For a blind person, the term "disability onset," may be defined as the point at which both of the following conditions first exist simultaneously: (1) the individual is statutorily blind; and (2) the individual ceases to engage in SGA. If both of these conditions do not begin simultaneously, the year of disability onset will be the year in which both conditions first exist. Six quarters of covered employment is the minimum necessary for SSDI eligibility. However, most persons will need more quarters depending upon age and the year of disability onset. The circumstances are strictly individual.

Recent Work Test: Blind persons are exempt from a "recent work" requirement which applies to individuals with other disabilities. For a blind applicant, this means that quarters of covered employment will be counted no matter when they have occurred. The "recent work" rule for others (not the blind) requires covered employment in five out of the most recent ten years. Hence, disabled persons who are not blind must be fully insured and have recent work, but only the former requirement applies to the blind.

Period of Disability: A "period of disability," may be established for any blind person who works under Social Security-covered employment. The period of disability begins when both of the following requirements are met: (1) the individual is statutorily blind; and (2) the individual has

worked long enough under Social Security-covered employment to be fully insured. SSDI checks are payable to a blind person who meets these periods of disability requirements and is not performing SGA. For blind persons who are performing SGA, the period of disability continues even though entitlement to cash benefits ceases.

Disability Freeze: A "disability freeze," occurs for any blind person when a period of disability is established. The freeze protects a blind person's Social Security earnings record from the effects of low or no earnings during the period of disability. If the disability freeze is not applied, virtually all of a person's adult working years (including years of no earnings) must be counted in figuring the earnings average used to establish a monthly benefit amount. So the disability freeze for a blind person exempts from the average all years within a period of disability and is used if exempting these years would result in a higher benefit. Conversely, if applying the freeze would result in a lower benefit amount, the exemption will be disregarded in order to pay the highest benefit possible.

Trial Work Period: A person who receives SSDI checks is also entitled to one "trial work period." This is a period of twenty-four months, during which work may be performed while entitlement to monthly cash benefits continues. Checks are payable for the first twelve months of the period of trial work, without regard to a blind person's SGA. This means that earnings of any amount are permitted. However, monthly earnings during the first nine months of trial work are evaluated to determine whether entitlement to checks will continue after the twelfth month of trial work. If, during the first nine months of trial work, the earnings are regularly above the amount

considered to be SGA, entitlement will be suspended after the twelfth month of trial work. On the other hand, if earnings are less than SGA, checks will continue uninterrupted, as long as a blind person is not found to be performing SGA. These months of trial work need not be consecutive. A month is counted as a trial work month any time a beneficiary earns at least \$75.

For a period of one year after the first twelve months of trial work, entitlement to benefits is suspended on a month by month basis, depending upon earnings each month. During this second twelve-month period, checks are payable for months when SGA is not performed. Conversely, there is no entitlement for any month when earnings exceed the SGA amount. If work continues at the end of twenty-four months of the trial period, eligibility is terminated, and a new application must be approved to have disability benefits reinstated at any point in the future. If, however, earnings from work do not exceed SGA (or if there are no earnings at all) entitlement to SSDI checks will continue indefinitely.

Working Blind Age 55 to 65: Blind persons age 55 but not yet age 65 may work while still having the assurance of receiving disability benefits during any month when SGA is not performed. This is the effect of a special rule which allows continuing eligibility for blind persons in this age group who are unable to perform work requiring skills or abilities comparable to the work they did regularly before reaching age 55 or becoming blind, whichever occurred later. Under this rule, SGA is considered on a month by month basis, just as it is during the second twelve months of trial work for a blind person under age 55. In other words, entitlement to benefits is suspended for any month of SGA and reinstated for

any other month.

Dependents Benefits: Eligibility for cash benefits from Social Security is also extended to blind persons who have not worked but qualify as dependents or survivors of others. For example, a blind person may be a dependent of someone who is an SSDI beneficiary, a retired person receiving Social Security retirement benefits, or someone who died after becoming fully insured. Blind children, blind adults, blind widows, and blind widowers may all be entitled to regular Social Security checks as dependents.

Medicare: Blind SSDI beneficiaries automatically become entitled to Medicare payments for covered medical expenses after twenty-four months of eligibility for cash benefits. These months of eligibility need not be consecutive. Medicare pays hospital and doctor expenses under certain rules and limitations which apply equally to blind, disabled, and retired persons receiving Social Security checks. Medicare eligibility may continue during forty-eight months of work, including the twenty-four months of trial work and an additional twenty-four months thereafter. Any time a period of five years or more occurs between the termination and reinstatement of SSDI eligibility, there will be an initial twenty-four month waiting period for Medicare entitlement to commence. If, on the other hand, reinstatement of SSDI checks occurs within five years after a previous termination, Medicare begins simultaneously with the reinstatement.

FACTS YOU SHOULD KNOW ABOUT SUPPLEMENTAL SECURITY INCOME

Supplemental Security Income, known as "SSI," pays monthly cash benefits to

persons in financial need who are aged, blind, or disabled. Previous work is not a requirement. Blind adults (age 18 to 65) who meet specific income and resource limitations will be able to receive SSI. Blind children may also be eligible if the income of parents or guardians is low enough.

These concepts are generally applicable to aged, blind, and disabled SSI applicants or recipients. However, several rules apply in special ways to the blind. These and other significant eligibility requirements may be categorized as follows: (1) the blindness requirement; (2) categories of recipients; (3) standard payment amount; (4) state supplementation; (5) work activity; (6) work expenses; (7) resource limits; (8) presumptive eligibility; (9) Medicaid.

The Blindness Requirement: Blindness is a qualifying medical condition, having a specific definition in the SSI program. A person is regarded as blind if central visual acuity is 20/200 or less in the better eye with the best correcting lens, or if the field of vision is 20 degrees or less. Such a condition need not be expected to last at least twelve months. Blind persons as a class are categorically eligible for SSI checks, subject to meeting income and resource limitations. Hence, establishment of blindness is a critical factor.

Categories of Recipients: SSI recipients are divided into three principal categories—the aged, the blind, and the disabled. Many SSI requirements apply equally across the board to persons regardless of category. However, some rules are limited to one or another of the categories. Also, state welfare programs which often supplement federal SSI payments may have differing requirements and benefits for each of the three categories. Applicants and recipients who might be classified in more than one category may choose the more advanta-

geous one, depending upon individual circumstances and state requirements. Sometimes, choosing to be considered as blind rather than aged, for example, might mean a higher SSI check.

Standard Payment Amount: The SSI program uses a standard payment amount which applies equally in each state to all categories. This is based on the concept of a minimum need standard to be met by the federal government through an appropriation from general revenues. Thus, a monthly federal SSI rate is set for individuals and another is established for couples. Beginning July 1, 1982, the federal payment amount for individuals became \$284.30 and the federal payment amount for couples became \$426.40. This amount increases annually to reflect the rate of annual increase in consumer prices. The standard payment amount is the amount of an individual or couple's SSI check if there is no other income.

State Supplementation: Many states provide SSI benefits above the standard payment amount under a program known as state supplementation. These extra payments may be made by category or to provide more assistance to persons in particular circumstances. Some states provide a supplementation to all SSI beneficiaries. Most do not. A few states provide substantially more for the blind than for others. This is a state decision.

Income Limits: A blind individual or couple must have a low income in order to qualify for SSI checks. How low the income must be depends upon individual circumstances, such as the type of income (earned or unearned), eligible work expense disregards, and special state requirements. Income may also include a portion of the income of a spouse, a parent, or a guardian

not eligible for SSI benefits. Some income is automatically not counted. This includes (1) \$20 of earned or unearned income; (2) \$65 additional earned income; (3) half of the remaining earned income; and (4) ordinary and necessary work expenses. All of these amounts are subtracted from total monthly income to establish an individual or a couple's "countable income." If the countable income is lower than the monthly SSI payment made in the state of a person or a couple's residence, the amount of the SSI benefit will be equal to the difference.

Work Activity: The income exemptions are designed to encourage the blind to work as much as possible. Increases in earnings do bring about gradual reductions in SSI checks. However, earnings of \$600 in any month (substantially more in many states) will often not affect the amount of the SSI benefit payable for that month. Under the SSI program, the blind are not subject to a test of "substantial gainful activity" (SGA), so there is no arbitrary cutoff point, as is the case in the Social Security Disability Insurance Program. This means that gradual increases in work activity of the blind under the SSI program do not trigger abrupt termination of benefits. Rather, increased work means more income, even though SSI benefits are slightly reduced as earnings rise. Also, when earnings decrease, SSI payments may be reinstated or increased. The precise cutoff point for any blind working person or couple must be determined individually because of factors such as work expenses and state payment levels.

Work Expenses: Blind persons who work under SSI may exclude from income the amount of any "ordinary and necessary work expenses." These may include expenses unrelated to blindness. This

deduction must be distinguished from the impairment related work expenses which may be excluded from gross earnings of blind and disabled SSDI beneficiaries and disabled SSI recipients. In other words, this exemption of ordinary and necessary work expenses is a unique feature for the working blind. Work expenses which are considered ordinary and necessary include the following: federal and state income tax deductions, Social Security taxes, routine transportation costs to and from work, meals while at work, payments for readers/drivers, union dues, care of a dog guide, and so forth. Deducting all or any of these costs will have a significant impact on eligibility for and the amount of SSI benefits in the case of the blind who work.

Resource Limits: Personal and financial resources must be limited in order to receive SSI checks. These resources include money in the bank, stocks and bonds, cash value of life insurance, valuable personal items, etc. All three categories, aged, blind, and disabled, are treated alike in terms of the resource limits. Any Social Security office can provide a further, detailed explanation.

Presumptive eligibility: SSI payments may start immediately if a blind person provides reasonable evidence of eligibility at the time an application is filed. Such evidence might include a recent eye report (showing the existence of blindness) from a qualified ophthalmologist. Also, copies of current bank statements, savings account books, and other relevant financial information should be provided. Following this procedure will expedite payment of SSI checks during the period of time that the SSI application is actually being processed. Otherwise, SSI checks may not be received for several months.

Medicaid: The program known as "Medicaid" is designed to help pay medical costs for low-income persons, such as SSI recipients. Medicaid is administered by a state agency in each state, not by the Social Security Administration. In a majority of states, Medicaid coverage for all beneficiaries generally starts with the month SSI

checks are payable and continues for each month a check is due. Coverage generally stops when monthly payments end. However, Medicaid payments may continue after SSI checks stop if an individual qualifies under a state program for the medically needy. Precise rules and eligibility standards differ from state to state.

THE KENNELLY AMENDMENT:

WHAT DOES IT MEAN FOR BLIND VENDORS?

WHAT DOES IT MEAN FOR THE BLIND?

by James Gashel

Federal reports say that there are almost 4,000 blind persons who operate vending facilities in the Randolph-Sheppard Program, nationwide. These people are the primary beneficiaries of a combination of federal and state laws which create special business opportunities for the blind on federal and other property. Laws such as these do not spring forth out of the blue. Congress or the state legislatures do not wake up one morning and just decide to do something to benefit the blind. Laws come from hard work and are ultimately fashioned from the expressed interests of people who are willing to do what it takes to get them passed. Nor are laws, once passed, cast in stone.

Recent events in the state legislatures of Idaho, Louisiana, and Alaska should be enough to convince any blind vendor that organizing with other blind people, through the National Federation of the Blind, is both a matter of good sense and enlightened self-interest. In fact, it is absolutely essential. This is obvious, or at least it

should be. Still, however, we find vendors who say they are too busy, or that their activities, such as bowling, skiing, etc. take priority. This is nonsense. Where would the vendors be if all of us took that attitude? Where would any blind person be?

This is not merely a matter of idle curiosity. Consider, for example, the Kennelly Amendment. Dr. Jernigan spoke of this in his Presidential Report at the 1982 Convention of the National Federation of the Blind. He described what the amendment would do and our role in bringing it about. The amendment bears the name of its chief Congressional sponsor, Representative Barbara Kennelly, Democrat from Connecticut. Here's what Dr. Jernigan said:

"Many of the agencies working with the blind in this country say that, because we will not support them across the board in their requests for more and more money (regardless of the kind of services they give), we are not positive and constructive. We have said that we

wish to support good agencies and not bad ones, that more money does not necessarily mean more services to blind people, and that (in the spirit of the times) we must find new and innovative approaches. I am about to give you an example of what we mean. Ordinarily items are not allowed to be sold at rest stops or other places on the right of way of an interstate highway. Two years ago the Federal Highway Act (this is not the exact name of the bill) was amended to permit an experiment allowing five states (Massachusetts, Kentucky, Georgia, Connecticut, and California) to make such sales. Only Connecticut chose to permit the state agency for the blind to operate the program. Last year (at the very beginning of the experiment) the Connecticut agency received upwards of \$200,000. With the pressure for funds for highways and in view of the fact that four of the five states in the experiment chose not to give the program to the state agency for the blind—it is not difficult to see what the trend would likely be in any continuation or expansion of the experiment.

"This year we went to Representative Kennelly and asked that the Surface Transportation Assistance Act of 1982 (and this is the exact title of the bill) be amended to permit vending machine sales on interstate highway right of ways in all of the states and that it be required that only the rehabilitation agency serving the blind in each state could operate the sales program. The bill has passed the Committee on Public Works and Transportation and is now awaiting action by the House. Our amendment did not receive a single opposing vote. Senator Randolph and Senator Stafford have agreed to help us with this legislation in the Senate, and there seems every likelihood that it will pass.

"This is an example of what we mean by positive and innovative action: The blind are helped; business is stimulated; and no extra appropriations are needed from the federal treasury. The legislation is in keeping with the spirit of the times, and it offers a means of financing not only vending but other programs for the blind as well. And yet some of the agencies tell us that we are not positive. Well, what were they doing all this time? This, too, is what the National Federation of the Blind is about—striving to see that blind people have opportunity and doing it in a way that will work."

On December 6, 1982, the Surface Transportation Assistance Act of 1982 (H.R. 6211) passed the House of Representatives, the Kennelly Amendment intact. Then, the following day, the Senate Committee on Environment and Public Works included the same language in the surface transportation bill slated for Senate floor action. As this article is being written (December 13, 1982), all is in readiness for the Senate debate on the entire surface transportation measure. This is primarily a road building and mass transit bill, with President Reagan's job stimulus program attached and supported financially by means of a nickle per gallon increase in gas taxes. While the legislation, as a whole, has a number of controversial features, the Kennelly Amendment is not one of them. The same language now appears in both the Senate and House bills. Thus, assuming the passage of a Surface Transportation Act (which has a better than 75% chance of occurring), the Kennelly Amendment will become law.

The amendment itself is quite simple. State highway departments are permitted to authorize the establishment of vending machine operations in rest, recreation, and safety areas anywhere along the federal interstate highway system. This removes a

restriction which has prohibited sales of foods, beverages, newspapers, and the like. In addition, the Kennelly Amendment requires that, in establishing vending facilities, a priority shall be given to the state agency designated for the operation of vending facilities by the blind under the Randolph-Sheppard Act. This is the crucial feature, since the amendment, absent the limited assignment provision, would likely have little effect upon or relevance to programs for the blind.

In its final form, however, the Kennelly Amendment can have a real and beneficial impact. The possibilities are enormous. Almost immediately, there could be hundreds of new vending machine operations. State agencies can install these and establish vending routes for blind persons, where it would be economical to do so and where feasible arrangements can be made. In other areas, highway vending stations might be contracted to a vending service, with substantial revenues accruing to the state agency. Since the law is entirely silent on the use of these revenues, many possibilities arise. For example, a fund might be set up to underwrite the establishment of small businesses by blind persons. Revenues could also be used to expand the current Randolph-Sheppard Program and to decrease set-aside payments which vendors are currently required to make. Under the Kennelly Amendment, all of these and other uses of the funds are possible, and each state will decide. This means that the blind can have a part in such determinations, if we know what is happening and force the decisions to be made in the open.

The Kennelly Amendment did not just happen in a vacuum. It occurred because a member of Congress listened to the National Federation of the Blind and backed our proposal without exception. To

be sure, the state agency for the blind in Connecticut also gave support and, through its experience, helped show the beneficial effects which the amendment could have in other states. This is what actually happened. There was no outcry from the American Council of the Blind, or even a whimper from its front group, the Randolph-Sheppard Vendors of America. As is typically the case, in this legislative effort, as well as others, these organizations watched from the sidelines. The best that can be said is that their participation was vicarious, if even that. But, the legislation has happened, nonetheless. The Kennelly Amendment represents a solid step forward for blind vendors and for all of the blind. Now we must plan to take maximum advantage of the new opportunities we have won. This is the next challenge, and we shall meet it.

For now, one more chapter in our struggle toward first-class status has been written—a new piece of federal legislation. Hats off to Representative Barbara Kennelly. The vending machine bill was her first as a member of the United States Congress, and soon it will be the law of the land. Hats off, too, to Senator Jennings Randolph, the father of the Randolph-Sheppard Act, who helped to assure that the Kennelly language would be used in the Senate version of the Surface Transportation bill. These were the principal lawmakers, supported by others on key committees in the House and Senate. And all of them were supported by the members of the National Federation of the Blind who worked to mold this legislation and to make it happen. Why the National Federation of the Blind? Can there really be any doubt. For those who may think so, the Kennelly Amendment is one more answer.

LOOKING TO THE FUTURE—THE OHIO CONVENTION

by *Paul Dressell*

Holiday Inn, Akron, Ohio, was the site of the 36th annual NFB-O Convention held the week-end of October 8th-10th. 227 persons registered at the convention, which featured NFB 2nd Vice-President, Diane McGeorge, as the National Representative. In his convention report, President Robert M. Eschbach said that we could no longer afford to depend upon others to advance us. We formerly relied upon technological aids, professional guidance, or consumerism but all of these have their limitations. "In the future, consumers will have a stronger part to play in their lives, but it must be done by them—not others."

Three candidates running for office addressed the convention—not that there is a necessary connection—but all were elected. Richard Celeste, newly elected Governor, outlined a four-step program that would make physically handicapped Ohioans a part of his administration. Anthony Celebreeze, new Attorney General of Ohio, promised to work closely with us. Howard Metzenbaum, re-elected as U.S. Senator, talked about the difficulties he encountered in securing passage of the Voting Rights Bill; Senator Metzenbaum was the recipient of an award from NFB-O for his tireless work on behalf of all blind

persons.

At the 36th annual NFB-O Banquet held on October 9th, the Dayton Federation of the Blind was given the gavel award as having been the most outstanding affiliate during the previous year. Claude and Carnella Bascome of Springfield shared sighted Federationists of the year honors. Diane McGeorge described her first meeting with Drs. tenBroek and Jernigan and recounted her setbacks and successes in the organized blind movement.

Elections were held October 10th with the following results:

President, Robert M. Eschbach
First Vice-President, Barbara Pierce
2nd Vice-President, Sheila Samson
Secretary, Paul Dressell
Treasurer, George Gilbert

Elected to the Executive Committee were Charles Davis and Annette Anderson; they join Helen Johnson and Michael Justice, who still have another year to serve. Ohio increased its PAC contributions to an average of \$731 per month, moving us into 8th place in the standing of states.

The 36th NFB-O Convention was one of our best, and all of us left Akron with a renewed sense of dedication and purpose.

RECIPES

BREADED PORK CHOPS

by *Mary Ellen Reihing*

This is my father's specialty and the Reihing family favorite. Dad has tried his best to keep the recipe secret. What follows is the result of patient detective work. The family chef may have other secret ingredients, but he isn't telling.

Ingredients: Center cut pork chops, cut 1 inch thick
(Plan on two per person)
Finely crushed cracker crumbs
(Enough to coat all the chops)
Dash pepper
1 egg
½ cup milk
1 can cream of mushroom soup
1 can beer

Directions: In a bowl, combine milk and egg and beat until smooth. Dip chops in this mixture. Roll in cracker crumbs until thoroughly coated.

In a heavy frying pan, heat enough oil to thinly coat the bottom of the pan. Brown breaded chops quickly in oil. Turn carefully, making sure not to break the breading. This locks in meat juices. Place browned chops in layers in the bottom of a roasting pan. Combine beer and cream of mushroom soup, and pour evenly over chops. Seal pan completely with aluminum foil. Bake in slow 275 degree oven for 1 hour and 15 minutes. Chop should fall off the bone when done.

CHERRY SQUARES

by *Wilbur and Lorraine Webb*

(Note: Wilbur and Lorraine Webb are members and leaders of the National Federation of the Blind of New York.)

Ingredients: 1½ cups sugar
1 cup butter
4 eggs
2 cups sifted flour
1 tbs. lemon juice
1 can cherry pie filling

Directions: Gradually add sugar to butter and beat with electric mixer until light and fluffy. Add eggs one at a time and beat well after each. Add flour and lemon juice and beat at low speed.

Pour into greased 15x10x1" pan and spread. Mark with knife into desired number of squares. Place one heaping tablespoon of cherry pie filling in center of each square.

Bake at 350 degrees for approximately 45-50 minutes. When cool, sprinkle top with confectioners sugar.

APPLE CAKE

by *Wilbur and Lorraine Webb*

Ingredients: 3 eggs
1¼ cups sugar
½ cup oil
2 cups flour
1 tsp. cinnamon
1 tsp. baking soda
¼ tsp. salt
½ cup raisins
5 large apples, peeled and sliced as for pie

Directions: Cream sugar and eggs. Add oil and sifted dry ingredients. Blend in sliced apples and raisins.

Pour into greased and floured 10x15" pan.

Bake at 350 degrees for approximately 50 minutes.

MONITOR MINIATURES □ □ □ □ □

□ From the Human Services Division of the National Federation of the Blind:

"The Human Services Division of the National Federation of the Blind is planning to publish another issue of its newsletter called *The New Image*. Anyone who is in the human services—psychologists, psychiatrists, social workers, counselors, etc.—is welcome to contribute material to be published in the newsletter. If you are interested in joining the Division or if you would like to contribute articles for publication, send them to Ellen R. Robertson, 204 Popula Boulevard, Wappingers Falls, New York 2590. It is requested that you send material in Braille or typed."

□ Outstanding:

Keith Wiglesworth, member and newly elected board member of the National Federation of the Blind of North Carolina, has been selected for inclusion in the 1982 edition of *Outstanding Young Men of America*. The people chosen for this honor were selected from nominations received by Senators, Congressmen, Governors, Mayors, State Legislators, University and College Presidents and Deans, as well as various civic groups, including the United States Jaycees, which also endorses the Outstanding Young Men of America program.

□ *Blindsight Wins Award:*

The *Blindsight*, which is a widely distributed quarterly publication of the NFB of Minnesota designed to educate the public about blindness, has received an Award of Excellence from the International Association of Business Communicators (IABC).

The award was given in the print newsletter category of the annual awards

competition held by District IV of IABC, which includes seven surrounding midwestern states in addition to Minnesota.

Blindsight won out over dozens of other entries, including the winner in this category for the past several years, a newsletter produced by Anheuser-Busch Companies of St. Louis, Missouri.

□ National Radio Broadcast:

On the weekend of November 20-21, 1982, President Jernigan appeared on the radio program "Focus on Issues," which is broadcast on more than 150 stations throughout the country. This is a 25-minute interview program. The appearance was arranged through the efforts of Charles Biebl, who has established himself as a very effective one man public relations campaign for the Federation.

□ From Charles Biebl, 6910 Bank Street, Baltimore, Maryland 21224:

Dear Federationists:

If anyone wishes to have a member of the Federation in his or her area on a talk show, please let me know, and I'll help them. If you need my help, my number is 301-633-7196. Please call after 6:00 p.m. Eastern Standard Time.

It has also been my experience that it's best to educate people about blindness while they're young. I have given out many Braille magazines to the kids in my neighborhood, and I have also written their names for them in Braille on dymo tape.

Sincerely,
Charles Biebl
National Federation of the Blind
of Maryland
Greater Baltimore Chapter

Candidate:

Early this spring Georgia Myers, a long-time member of the Maryland affiliate, announced her candidacy for election to the position of Judge of Orphans' Court in Allegheny County, Maryland. In the general election held November 2, 1982, she lost; but she made a good show, getting more than 8,000 votes. This was her first try for public office. It is the sort of thing which increases public awareness and helps us gain recognition.

Employed:

In December, Federationists John Ford of Montana and Fred Wurtzel of Michigan began working for Alternatives for the Blind in Living and Employment (ABLE). ABLE is a private agency in St. Louis which provides rehabilitation, training, and other services to blind people.

Fred Wurtzel is employed as a Community Resources Counselor. John Ford teaches Braille and cane travel. Unlike some regressive agencies (especially those accredited by NAC), ABLE believes that blind people can and should teach cane travel.

Congratulations to both Fred Wurtzel and John Ford. We wish both of them the best in their positions.

A Congressman and a Senator Help:

Karen Mayry, President of the NFB of South Dakota, writes: "Senator Larry Pressler and Representative Clint Roberts have made both radio and t.v. P.S.A.'s for the National Federation of the Blind of South Dakota. In one instance, we supplied the materials and their office wrote them. We previewed them before they were used. In the second instance, we wrote them ourselves. It is a good way to get our name out to the public, and most congressmen are happy to help in this way."

National Vendors Conference:

The National Federation of the Blind Merchants Division will hold a National Conference of Blind Vendors on March 18, 19, and 20, 1983. The conference will be held at the Philadelphia Center Hotel, 17th Street and J.F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The Philadelphia Blind Merchants Guild (Richard Kreamer, President) will be the host for the conference. Room rates for single or double rooms are \$40.00 a night. On Friday, the 18th, we will conduct a visit to the vending facilities in the Philadelphia area, followed by an evening hospitality. There will be meeting sessions Saturday morning and afternoon, and Sunday morning. On Saturday evening there will be a banquet followed by hospitality. To make reservations contact Richard Kreamer, 171 Chatham Road, Upper Darby, Pennsylvania 19082; phone (215) 352-0721.

St. Patrick's Day Auction:

The National Federation of the Blind of South Dakota will be sponsoring an auction on St. Patrick's Day, March 17, 1983, as one of its fundraising projects. We will have local businesses contribute items to be sold at the auctions. Since this will be on St. Patrick's Day, we plan to have several unusual green items to auction off—such as a load of green gravel, a green quilt, and other green items to catch the attention of the public. We have rented rooms at the Hilton Hotel in Rapid City for the auctions and will obtain the services of a local auctioneer. We feel this will be an excellent fundraising project and want to share it with other affiliates.

Anniversary:

On December 15, 1982 the Braille Institute of America, located in Los Angeles, celebrated the twentieth anniversary of its Deaf-Blind Program.

□ **Moving Up:**

Joyce Turner, able board member of our West Virginia affiliate, had been working as a secretary for the State Department of Education. She had a Masters in social work and was anxious to use her training. On December 1 she became a counselor and head of the social work department at the recently created Appalachian Center for Independent Living in Charleston. The Center provides advocacy services to disabled West Virginians. Her experience as a Federationist has made Joyce a highly qualified advocate. We congratulate her on her new position.

□ **Prize Winning Public Relations:**

Alex Shepherd, capable President of our Evansville, Indiana chapter, built a float to publicize blind workers and the JOB program. The float was entered in the Fall Festival Parade on October 9, where it won the Grand Marshall Award. The float featured stair steps with signs reading: "Blind Musicians, Blind Hairdressers, Blind Secretaries, Blind Teachers, Blind Nurses". If the strength of our movement can be judged by the creativity and willingness of its members to work, this float is one more evidence of our vigor and progress.

□ **Nursing Home Administrator:**

Mrs. Carol (Lewis) Smith has been employed as a Nursing Home Administrator at Normandy Hills Care Center in Des Moines. She is the first blind nursing home administrator in Iowa.

□ **Family Weekly:**

Family Weekly is a supplement appearing in newspapers throughout the nation. In the December 5, 1982, issue there appears in the section called "Ask Them Yourself" comments from President Jernigan. On the same page are featured comments by Tatum O'Neal, Larry

Hagman, Jack Carter, Lainie Kazan, and others. The part featuring President Jernigan reads: "Over the next 20 years, what new technology will become available to assist the blind?—V.O., Las Vegas, Nevada. Talking clocks, calculators, computer terminals and machines that translate the printed page to spoken words are a few. The real problem of blindness, however, is not lack of eyesight, but lack of opportunity due to misconceptions by the public and the blind themselves. Fortunately, the public and the blind alike are realizing that with training the blind can compete equally with others. (For information, contact the National Federation of the Blind, 1800 Johnson Street, Baltimore, Maryland 21230.)"

□ **Wentz Resigns:**

Evans Wentz, Director of the Texas Commission for the Blind, resigned suddenly at the Commission board meeting on Saturday, December 4, 1982. Wentz, who was thought to be in trouble with the newly elected Governor of Texas, said he was resigning to devote more time to business matters. The nine member Commission board lost no time in appointing John Wilson, Wentz's assistant, to the Director's post. Before Wilson was hired as part of the Commission administration somewhat over a year ago, his experience had been entirely in business.

□ **U.T.C. Hosts NFB Seminar:**

Mr. Marc Maurer on behalf of the National Federation of the Blind, conducted a seminar on the campus of the University of Tennessee at Chattanooga, on September 16 and 17. NFB members and other interested persons from all over Tennessee attended the weekend event. Certificates have been prepared for those who attended both days. The seminar dealt with the

importance of a well organized national movement, and covered the rights of the handicapped according to current laws. The Chattanooga Chapter of the NFB, along with the state affiliate was responsible for the seminar arrangements.

The NFB in Tennessee is becoming more and more active, and the seminar is only one of many events going on in the state. More and more Tennesseans are beginning to join the Federation, as they realize that this is the organization most fully meeting their needs.

The next state-wide event in Tennessee is the State Convention to be held the second weekend in March, 1983. President Jernigan will be the banquet speaker, and will be in attendance during the entire convention. The convention will be held at the Downtown Holiday Inn in Chattanooga. For more information about the convention you may contact Curtis or Betty Sue Shepherd at: (615) 633-3251.

In Memory:

We are sorry to report the death of Russell Thompson. Russell was stricken with Lou Gehrig's Disease in the spring of 1980 and had been seriously ill for a long time. He went into a coma over Thanksgiving weekend and died on Saturday, December 11, 1982.

Russell had been a staunch Federationist since the organization of the NFB of Michigan in 1969. For several years he served as the President of the Detroit chapter. He was also a very active member of the board of our Michigan affiliate. Russell had attended every national convention from 1970 to 1981.

Russell's first job was selling "blind made" products door-to-door. Shortly after his thirtieth birthday, he began attending college. After graduation he worked as a computer programmer for Michigan Blue Cross and Blue Shield.

In 1980 Russell married Federationist Gail Flateau of Florida. We offer our sincerest sympathies to Gail. Russell was a valued colleague. He will be sorely missed.

Update:

In the January, 1983, issue of the *Monitor* we published an article entitled "Of Courtesy and Swimming Classes." The article contained a letter from Jamal Mazrui of Princeton, New Jersey, concerning discrimination and discourteous treatment which he had received at the local YWCA. We now have further information on the matter. Jamal Mazrui says that the YWCA attendant has been dismissed and that the head of the YWCA is distributing his letter for all employees to read. Let us never doubt that the effort to change public attitudes is worthwhile.

From the *Colony Reporter* (an English language newspaper in Guadalajara, Mexico):

November 13, 1982

U.S. POUCH SERVICE FOR BLIND HALTED

"Until recently United States citizens who are blind or have severe sight problems were able to use the diplomatic pouch service of the Guadalajara United States Consulate General to return library materials for citizens with impaired sight to the Library of Congress.

"In early October, 1982, Foreign Services Inspectors of the Department of State informed the Consulate General that acceptance of such material for return by diplomatic pouch is contrary to State Department regulations.

"The Consulate General therefore can no longer accept such materials: recipients

will now have to use normal international postal facilities."

Decade of the Baby Continues:

Kyle Rock Smith weighed nine pounds, nine ounces when he arrived December 12, 1982, in Boise, Idaho. His parents, Rocky and Debbie, first met at an NFB convention several years ago. Rocky is President of the Western Chapter of the NFB of Idaho.

From Ruth Whelan:

The NFB of Delaware held a very successful convention in Dover during the second weekend of November, 1982. Jim Gashel brought valuable information and enthusiasm. He engaged in spirited discussion with one of the officials of the State Commission for the Blind about why it happened that all of the blind employees at

a sheltered workshop in Southern Delaware had been laid off while sighted workers were retained. The answer to the question was not given, but within the next month some of the blind workers were called back to their jobs. Perhaps this is still another answer to the question why the National Federation of the Blind.

Job Opening:

The South Carolina School for the Deaf and the Blind announces a job opening for a School Psychologist II. The salary is approximately \$13,500 to \$19,250, depending upon background and experience. For further information contact: Dr. Pete Hutchings, Director, Psychological Services Department, South Carolina School for the Deaf and the Blind, Spartanburg, South Carolina 29302.

If you or a friend would like to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto National Federation of the Blind, a District of Columbia nonprofit corporation, the sum of \$_____ (or "_____percent of my net estate" or "the following stocks and bonds: _____") to be used for its worthy purposes on behalf of blind persons."

